

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Abraham KOROL et al

Application No.: 09/552,147

Filed: April 19, 2000

For: METHOD FOR PLANT TRANSFORMATION BASED ON

Confirmation No.: 3491

**Customer Window, Mail Stop AF**

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

Transmitted herewith is a [XX] SECOND REPLY AFTER FINAL ACTION in the above-identified application.

- [ ] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted
- [ ] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- [ ] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS	** 20	0
INDEP.	*	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 43	\$
+ 145	\$
ADDITIONAL FEE TOTAL	
\$	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 86	\$
+ 290	\$
TOTAL	
\$	

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity  
Response Filed Within

[ ] First - \$ 55.00

[ ] Second - \$ 210.00

[ ] Third - \$ 475.00

[ ] Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity  
Response Filed Within

[ ] First - \$ 110.00

[XX] Second - \$ 420.00

[ ] Third - \$ 950.00

[ ] Fourth - \$ 1,480.00

Month After Time Period Set

[X] Less fees (\$110.00) already paid for 1 month(s) extension of time on May 4, 2004.

[ ] Please charge my Deposit Account No. 02-4035 in the amount of \$\_\_\_\_\_.

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$310.00.

[ ] A check in the amount of \$\_\_\_\_\_ is attached (check no. ).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

Attorneys for Applicant(s)

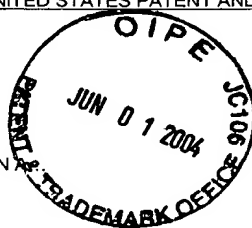
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AF/1638  
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**RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1638**





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: KOROL=1

In re Application of:	)	Art Unit: 1638
	)	
Abraham KOROL et al	)	Examiner: A. R. Kubelik
	)	
Appln. No.: 09/552,147	)	Washington, D.C.
	)	
Filed: April 19, 2000	)	Confirmation No. 3491
	)	
For: METHOD FOR PLANT	)	June 1, 2004
TRANSFORMATION BASED ON A	)	
POLLINATION-FECUNDATION	)	<u>UNDER FINAL REJECTION,</u>
PATHWAY AND...	)	<u>PLEASE EXPEDITE</u>

**SECOND REPLY AFTER FINAL ACTION**

U.S. Patent and Trademark Office  
Customer Window, **Mail Stop AF**  
Crystal Plaza Two, Lobby, Room 1B03  
Honorable Commissioner for Patents  
Arlington, Virginia 22202

Sir:

The PTO has refused entry of applicants' first amendment after final Action filed May 4, 2004. Again replying to the final Office Action of January 21, 2004, petition for the second one month's extension of time and second one month's late fee being attached hereto, and taking into account the commentary of the Advisory Action mailed May 25, 2004, please amend as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.

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